

REMARKS/ARGUMENTS

Claims 1 and 11 have been amended. Claims 1-2, 4-12 and 14-20 are pending in this application.

Claims 1-2, 4-12 and 14-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,951,031 B2 (Hatano) in view of U.S. Publication No. 2003/0152360 A1 (Mukai et al.).

Independent claim 1, as amended, now recites in part the following:

a controller operable to change the set broadcast time period to record to a new time period to record ... ha[ving] a termination point later than a termination point of the set broadcast time period to record ... and the termination point of the new time period to record is determined based on the value of the discriminated number sequence;

the controller being operable to time-extend the termination point of the set broadcast time period to record in response to the value of the discriminated number sequence, in a range not overlapping another set broadcast time period to record, wherein, when the termination point of the new time period to record is later than a starting point of the another set broadcast time period to record, the controller time-extends the set broadcast time period to record until the starting point of the another set broadcast time period to record

(emphasis added; see specification, for example, at paragraph [0071]). Thus, according to the claimed invention, when a new time period to record, to which a set broadcast time period to record may be changed, overlaps another set broadcast time period to record, the set broadcast time period to record may be time-extended "until the starting point of the another set broadcast time period to record."

The applied portions of Hatano appear to disclose that "since there may be some cases that it is not desirable to automatically postpone the recording period, the recording operations can be carried out in accordance with the time schedule set at the time of programming." (Col. 12, ln. 37-41). Hatano, as applied by the Examiner, does not appear to disclose, when a termination point of the new time period to record is later than a starting point of another set broadcast time period to record, time-extending a set broadcast time period to record until a starting point of the another set broadcast time period to record, as required by claim 1.

Mukai does not cure the above-identified deficiencies of Hatano with respect to the requirements of claim 1, as described above.

Accordingly, it is respectfully submitted that amended claim 1 is distinguishable from the applied combination of Hatano and Mukai.

For reasons similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claim 11 is also distinguishable from the applied combination of Hatano and Mukai.

Claims 2, 4-10, 12, and 14-20 are dependent from one of independent claims 1 and 11. Accordingly, it is also respectfully submitted that dependent claims 2, 4-10, 12, and 14-20 are distinguishable from the applied combination of Hatano and Mukai for at least the reasons previously described.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully

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requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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